

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIAM KIRKPATRICK, JR,)	
)	
Petitioner,)	No C 08-1393 VRW (PR)
)	
vs)	ORDER
)	
ROBERT L AYERS, JR.,)	(Docket # 9)
)	
Respondent(s).)	
_____)	

William Kirkpatrick, Jr's petition for rehearing (docket # 9) is construed as a motion for reconsideration of the court's May 23, 2008 order of dismissal and DENIED for lack of merit. See Twentieth Century - Fox Film Corp v Dunnahoo, 637 F2d 1338, 1341 (9th Cir 1981) (motions for reconsideration are not a substitute for appeal or a means of attacking some perceived error of the court).

SO ORDERED.



VAUGHN R WALKER
United States District Chief Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

KIRKPATRICK,

Petitioner,

v.

AYERS et al,

Respondent.

Case Number: C08-1393 VRW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 30, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

William Kirkpatrick C-91406
San Quentin Prison
San Quentin, CA 94964

Dated: June 30, 2008

Richard W. Wieking, Clerk
By: Cora Klein, Deputy Clerk

Cora Klein